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# TOWN OF SHARON MASSACHUSETTS



## SPECIAL WARRANT

With Report And Recommendations  
Of The  
Warrant Committee

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## SPECIAL TOWN MEETING

MONDAY, SEPTEMBER 20, 1982  
8:00 P.M.

MEETING AT HIGH SCHOOL, POND STREET  
PLEASE BRING THIS REPORT TO MEETING

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## REPORT OF THE WARRANT COMMITTEE

We would like to commend the Priorities Committee, consisting of representation of the School Committee, the Selectmen, and the Warrant Committee for having recognized the importance to allocate funds toward capital needs and tax stabilization. This, we feel, is a start in the right direction. Individual town needs were prioritized and some money allocated based on overall need. We feel that the dollars allocated on total town priority represents a start! However, far too little is being budgeted based upon total town need. The Warrant Committee does not favor distribution of all monies based on a straight formula approach based on percentage of past expenditures. We feel that this technique was an expediency necessary at the inception of Proposition 2½, representing a means to bring order from possible chaos. We feel the town today would be better served if additional revenues were spent on a priority basis as monies become available. Formula allocation is orderly and offers a continuity that is easy to accept. We hope that the hard realities of urgent needs will cause more monies to be spent based on priorities and less by percentage distribution. The dollars allocated towards stabilization of future tax rates and toward future capital needs is a start-- it represents at this time, not enough to be significant in the future.

Your Warrant Committee feels strongly that at this time budgets are overly personnel-oriented and that the capital and replacement needs of equipment are not receiving sufficient allocation. Under Proposition 2½, continued austerity is anticipated - a non-election year next year may bring a cut to our receipt of state funds. In any event, our current budget, while protective of personnel, seems to fail to provide adequate materials for personnel to perform their functions. As important as the maintenance in personnel may be, only a balance of expenditures will minimize the total effect on the Town of Sharon. The current budgets as yet do not reflect the fiscal requirements of Proposition 2½ on an ongoing basis.

The appointment of the Capital Outlay Committee is encouraging, as there are many hard decisions to be made regarding our future needs. Current budgets and expenditures have not dealt adequately with the problems to be addressed by this committee. We look forward to their input to the budgetary requirements of Sharon.

In summary, there are major budgeting and expenditure problems to be faced by the town. Problems other than the maintenance of personnel have not as yet been adequately dealt with under the terms of fiscal restraint defined by Proposition 2½.

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The budget additions and allocation of state funds being made at this special town meeting represent the efforts primarily of the Priorities Committee. The monies available to the town are totally allocated. It should be recognized that an increase in any budget or article needs to be offset by elimination of dollars from some other item.



COMMONWEALTH OF MASSACHUSETTS

Norfolk ss.

To either Constable of the Town of Sharon, Greeting:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Sharon qualified to vote in elections and Town affairs to meet at the Arthur E. Collins Auditorium at the Sharon High School on Pond Street in said Sharon on Monday, the 20th day of September, A.D., 1982, at 8:00 p.m., and there to act on the following articles:

ARTICLE 1. To see if the Town will vote to raise and appropriate additional sums of money to be added to the appropriations, including segregated appropriations, voted at the 1982 Annual Town Meeting to defray charges and expenses of the Town, including debt and interest, for the fiscal year which began July 1, 1982, and to determine whether the money shall be provided by taxation, by transfer from available funds, including appropriation from General Revenue Sharing, by borrowing, or a combination thereof, or act in any way relating thereto.

Board of Selectmen

*We recommend the acceptance of this routine article allowing the addition of monies to the various town budgets including those pertaining to the school system. The total dollars appropriated are \$256,286. to be added to the appropriate line items. Vote: 10-0*

*This special town meeting was called primarily to distribute state allocated funds. Your Warrant Committee is at least chagrined that we cannot recommend and publish the line by line allocation of these monies.*

*While for the most part the various groups represented by the Priorities Committee have agreed as to how these funds should be spent, the finite detail is not available at the time that we write our recommendations.*

*Monies allocated for specific town priorities include a full time assessor, further health department funding, the buy-back of a fireman, etc. We anticipate that prior to town meeting, details will have been worked out making the Warrant Committee recommendation unanimous in terms of the detailed expenditures.*

ARTICLE 2. To see if the Town will vote to raise and appropriate a sum of money to be added to the special fund established to reimburse the Massachusetts Division of Employment Security for the actual cost of benefits paid to former Town employees and chargeable to the Town, and determine whether the money shall be provided for by taxation, by transfer from available funds, by borrowing, or by a combination thereof, or act in any way relating thereto.

Board of Selectmen

*We recommend approval of this routine article allowing for the addition of funds to the town unemployment account. Total amount appropriated \$15,330. Vote: 10-0*

**ARTICLE 3.** To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to the Capital Outlay Account.

#### Board of Selectmen

*We recommend approval of this routine article allowing for the holding of monies determined for expenditures for capital items. Total to be appropriated \$37,330. Vote: 10-0*

**ARTICLE 4.** To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$29,698.30 which was spent in Fiscal Year 1982 to acquire land indicated on the Town of Sharon Conservation Commission Plan Showing Green Areas dated February, 1967, and as amended January, 1971, in order to increase the Conservation Commission fund to \$50,000. in accordance with clause 51 of section 5 of chapter 40 of the General Laws, and that the Conservation Commission be authorized to apply or contract for state or federal aid, or both, or act in any way relating thereto.

#### Conservation Commission

*This article increases the amount of monies available to the Conservation Commission to bring their total up to \$50,000. - an increase of \$29,698.30. The monies available to the town at this time are scarce. The Warrant Committee feels that under these circumstances money should not be allocated for these purposes. If land became available, the Conservation Commission can, at that time, make its case for monies as needed. The Warrant Committee recommends the indefinite postponement of this article. Vote: 10-0*

**ARTICLE 5.** To see if the Town will vote to raise and appropriate a sum of money for the purpose of paying a part-time library employee longevity pay due her annually for Fiscal Years 1978, 1979, 1980, 1981, and 1982 not previously paid, and to determine whether the money shall be provided by taxation, by transfer from available funds, by borrowing, or by a combination thereof, or act in any way relating thereto.

#### Library Trustees

*We recommend adoption of this article. Fairness seems to dictate that this employee should have been paid longevity pay. As this is paid based on previous years' activity, it requires the passage by town meeting. The \$500. was appropriated in Article 1. Vote: 9-0*

**ARTICLE 6.** To see if the Town will vote to adopt a new Personnel Compensation By-Law entitled "The Personnel By-Law of 1982" as previously published and distributed at this meeting, or act in any way relating thereto.

#### Personnel Board

*The Warrant Committee recommends the adoption of this article. The new Personnel By-Laws generally update and clarify the previously estimated by-laws. Vote: 9-0*



ARTICLE 7. To see if the Town will vote to authorize the Selectmen to transfer and convey for consideration a parcel of land containing approximately 2.2 acres, together with the buildings thereon, located on Cedar Street, Sharon, a more particular description of which appears in a deed dated December 26, 1974 from the Order of the Brothers of the Sacred Heart of New England, Inc., to the Town, recorded in Norfolk Deeds, Book 5099, Page 168, and shown as Parcel F on a plan entitled "Plot Plan of Sacred Heart Property, Sharon, Mass., dated June 1973, prepared by Henry L. Munson, P.E., Town Engineer", and a permanent easement giving the grantee the right to enter upon the land, more particularly described below, for the purposes of improving, in accordance with the standards required by the State Sanitary Code or by the Town, whichever standards are the higher, the sewage treatment and disposal system and all appurtenances appertaining thereto, situated therein, and for the purposes of thereafter inspecting, repairing and maintaining, but not for the purpose of replacing, the said system and the appurtenances relating thereto;

#### DESCRIPTION OF LAND FOR EASEMENT

Beginning at a point 40' from the northwesterly corner of the site and then running in a northerly direction 500', more or less; thence turning at a 90° angle and running in a westerly direction about 300', thence turning at a 90° angle and running in a southerly direction about 125'; thence turning at a 90° angle and running in an easterly direction about 260'; and thence turning at a 90° angle and running in a southerly direction parallel to the first mentioned line to the said corner, a distance of about 260';

and, if necessary, to petition the legislature for the enactment of legislation permitting the granting of such easement, or act in any way relating thereto.

#### Board of Selectmen

*The Warrant Committee recommends approval. The Sacred Heart property has been debated for a number of years. The use for condominium development appears to be warranted in that it will provide some immediate monies as well as long-range tax dollars. The Warrant Committee feels that this is a reasonable usage of the property. This recommendation is contingent upon satisfactory answers to questions concerning such things as:*

- The use of existent leaching fields located under what now are community gardens*
- Impact on the lake and lake area*
- Impact on our wells and water supply*

Vote: 9-1

ARTICLE 8. To see if the Town will vote to add to the General By-Laws Article 25 as follows, or act in any way relating thereto:

"Article 25. Enumeration of Fees.

The fees of the Town Clerk shall be as follows:

Certified copy of a birth, death or marriage certificate,  
three dollars

Filing of notice of marriage intention and issuance of  
license, ten dollars

Correcting errors of records of births, deaths and marriages,  
five dollars

Entering a certificate of marriage filed by persons married  
out of the Commonwealth, five dollars

Entering a delayed record of birth, five dollars

Amending a record of the birth of an illegitimate child  
subsequently legitimized, five dollars

Examining records or papers relating to birth, death or  
marriage upon the application of any person, the actual  
expense thereof, but not less than five dollars

Copying any manuscript or record pertaining to a birth,  
death or marriage record, three dollars



Recording a Power of Attorney, five dollars

Recording certificate of registration granted to a person to engage in the practice of optometry; recording the name of the owner of a certificate of registration as a physician or osteopath; recording the name and address, the date and number of the certificate issued to a person registered for the practice of podiatry and the issuance of a certified copy, ten dollars

Filing and indexing assignment for the benefit of creditors, five dollars

Filing a certificate of a person conducting business under any title other than his real name, ten dollars

Filing by a person conducting business under any title other than his real name or statement of change of residence, or of his discontinuance, retirement or withdrawal from, or of a change of location of such business, five dollars

Furnishing certified copy of certificate of person conducting business under any title other than his real name or a statement by such person of his discontinuance, retirement or withdrawal from such business, three dollars

Receiving and filing of a complete inventory of all items to be included in a "Closing out sale", etc., two dollars per page

Filing a copy of written instrument or declaration of trust by the trustees of an association or trust, or any amendment thereof, ten dollars

Recording deed of lot or plot in a public burial place or cemetery, five dollars

Furnishing voter registration card, two dollars

Recording any other documents, five dollars first page, two dollars each additional page

Recording order granting locations of poles, piers, abutments or conduits, alterations or transfers thereof, and increase in number of wires and cables or attachments under the provisions of Section 22, Chapter 166, twenty-five dollars flat fee."

Town Clerk

*We recommend the adoption of this article. The fees being paid to the Town for specific services do not seem to relate to either the cost to provide these services or the times in which we live. These increases would provide a modicum of additional income to the Town. Vote: 10-0*



ARTICLE 9. To see if the Town will vote to amend Article 6, Reports and Records, of the Town By-Laws by striking out Section 3 and inserting in place thereof the following, or act in any way relating thereto:

"Section 3. The Board of Selectmen shall annually, not less than five days before the annual meeting, cause to be made available to the voters of the Town at the Town Office Building and the Public Library copies of the reports of the officers of the various departments and boards of the Town, and reports upon such matters as are directed by the Town in these By-Laws."

Town Clerk

*The Warrant Committee recommends approval of Article 9 as amended. This article precludes the mailing of town reports which henceforth will be available to be picked up prior to town meeting. The amendment calls for the addition of both the Police Department and the Fire Department being made available as points of pick-up for these reports as they are both open twenty-four hours a day. This should add to voter convenience. Additionally, advertisements both weeks prior to annual town meeting will be run indicating availability and location of availability of these reports. It is estimated that first year savings will be in excess of \$1,200.; this sum should increase in the second year. We feel strongly that the recommended inconvenience is more than made up by the cost savings to the town. Vote: 10-0*

ARTICLE 10. To see if the Town will vote to amend Article 17, Sections 1 and 9, of the General By-Laws as follows, or act in any way relating thereto:

1. By striking out the second sentence of Section 1 in its entirety and substituting therefor the following:

"The annual fee for every dog license, except as otherwise provided by law, shall be four dollars (\$4.) for a male dog, and seven dollars (\$7.) for a female dog unless a certificate of a registered veterinarian who performed the operation that such female dog has been spayed and has thereby been deprived of the power of propagation has been shown to the Town Clerk, in which case the fee shall be four dollars (\$4.)."

2. By striking out the first sentence of Section 9 in its entirety and substituting therefor the following:

"In addition to the requirement that a dog shall be duly licensed as required by law, the owner of a dog which is not licensed on or before May 30th in any year shall be subject to a "late fee", so-called, of twenty-five dollars (\$25.), said fee to be paid in addition to the license fee for all dogs licensed on or after May 30th of any year.

Board of Selectmen

*The Warrant Committee recommends adoption of this article. The first section simply raises dog license fees by \$1. The second section changes the payment of late fees to the Town of Sharon instead of to*

*the court. This should enhance the town's ability to enforce as well as collect these fees. Vote: 9-1*

ARTICLE 11. To see if the Town will vote to amend the Zoning By-Law as follows, or act in any way relating thereto:

1. Amend paragraph 2313 Other Permitted Principal Uses by deleting item (b): "The office of a doctor, dentist...area."
2. Amend paragraph 2314, Permitted Accessory Uses, by deleting item (b): "Customary home occupations...effects," and substituting the following:

"(b) Certain home offices or occupations as provided at Section 4600."

3. Amend paragraph 2315, Uses Allowed on Special Permit, by deleting items (d) (2) and (d) (3) and substituting the following:

"(2) Certain artisan's shops and other occupations as provided at Section 4600."

4. Amend Article IV by inserting a new Section 4600, to read as follows:

"4600 Home Offices and Businesses

Certain occupations shall be allowed accessory to a residential use in General Residence, Single Residence, Suburban, Rural, and Housing Authority Districts, but only in accordance with the following:

"4610. Use Regulation

4611. Permitted Activities (except within the Water Resources Protection District), requiring only a certificate of use and occupancy under the State Building Code.

- (a) The office of a doctor, dentist, lawyer, or other professional person, or of a real estate or insurance agent; the studio of an artist, musician, photographer, or teacher of art, music, or photography, provided for any of the above that no non-residents (other than domestic help) are employed on the premises.
- (b) Customary home occupation and the sale of the products thereof, including such occupations as dressmaking, millinery, crafts, art work, and the taking as lodgers or boarders of not more than five persons not members of the family residing therein, provided for any of the above that no non-residents (other than domestic help) are employed on the premises.

"4612. Activities allowed on special permit from the Board of Appeals.



- (a) An office or studio as described at 4611(a) except having one non-resident position accommodated on the premises.
- (b) In the Water Resources Protection District, home offices and occupations allowed or allowed on special permit at other locations, provided that the dwelling plus the office or business will not produce an estimated volume of sanitary sewage exceeding 4.5 gallons per 1,000 square feet of lot area per day, as estimated under provisions of 310 CMR 15:00 Title 5 of the State Environmental Code.
- (c) The shop of a carpenter, electrician, machinist, paperhanger, plumber, or similar artisan, provided that the shop is set back at least 50 feet from any public way and at least 20 feet from any other property line.
- (d) Activities similar to those permitted under paragraph 4611 but not specifically included there.

"4620. Restrictions

4621. The business or profession must be operated by a person residing on the premises.

4622. The business or profession shall occupy no more than 25% of the habitable floor area of the dwelling combined with the habitable floor area of any accessory building used in the business or profession.

4623. Off-street parking requirements of Section 3100 must be met. However, no accessory business shall be allowed which would require more than four parking spaces. Parking areas shall be separated from public ways and adjoining lots by screening as described at paragraph 3117(b).

4624. There shall be no building alteration to a non-residential character, or visible parking of commercial vehicles.

4625. No parking and no impervious surfaces other than walks and driveways shall be located within a required front yard setback.

4626. There shall be no sale of articles produced elsewhere than on the premises.

4627. There shall be no evidence of the business or profession discernable off the premises through persistent or excessive sound, or through glare, vibration, heat, humidity, smell, smoke, dust or other particulates, exterior storage or display, or other discernable effects."

5. Amend Article V Definitions by inserting the following definitions at their appropriate alphabetical locations:

"Accessory Building. A building devoted exclusively to an accessory use as herein defined, and not attached to a principal building by any roofed structure."

"Accessory Use. A use incidental to, and on the same lot as, a principal use, and occupying less than 25% of the habitable floor area on the premises and less than 50% of the lot area."

"Floor Area, Habitable. That area of a structure satisfying the requirements for a habitable room in the Minimum Standards of Fitness for Human Habitation of the Massachusetts Department of Public Health (Article II of the State Sanitary Code)."

#### Planning Board

*The Warrant Committee recommends indefinite postponement. We feel this issue should be considered and voted at a regular annual town meeting rather than a special town meeting. We do not see any reason to hurry this article and feel that this type of change should be voted on by as large a group as possible. Annual town meeting attendance truly is more representative than that at a special town meeting. Additionally, we have concerns that perhaps this merely patches and modifies, whereas a look at the basic issue as to the existence of further offices in residential areas is truly desirable. Also, a grouping of further professional offices within a limited area of the town might be more desirable, perhaps in a newly zoned area. Making this possible should be considered. Vote: 9-1*

ARTICLE 12. To see if the Town will vote to authorize the Selectmen to acquire from Lawrence E. Peck for the sum of one dollar two parcels of land in Sharon, Norfolk County, Massachusetts, described as follows:

Parcel One, being a parcel of land containing 6.018 acres, shown as "Parcel B" on the "Compiled Plan of Land in Sharon, Massachusetts", dated January 26, 1979, with addendum dated July 28, 1981, prepared by Perkins Engineering, Inc., which plan is recorded with the Norfolk County Registry of Deeds. Said Parcel 1 is also shown as Lot 10 on plan entitled "Sub-division Plan of Land, Sharon, Massachusetts, prepared for Subon Company" which is Land Court Plan No. 29711F, dated June 12, 1979, and was drawn by Perkins Engineering, Inc.; and

Parcel Two, being a parcel of land containing 11.707 acres, shown as "Parcel C" on the aforesaid "Compiled Plan of Land in Sharon, Massachusetts".

#### Board of Selectmen

*We recommend approval of this article. This article was passed by a previous town meeting. Proper and complete recording was not accomplished during the requisite time period. It is necessary, therefore,*



to re-pass in order to complete the article previously approved.  
Vote: 10-0

ARTICLE 13. To see if the Town will vote to authorize the Selectmen to accept for the consideration of one dollar a conveyance from Richard G. Froeschner, Executor of the Will of Doris Holmes Blake, of land in Sharon, Norfolk County, Massachusetts, bounded and described as follows, or act in any way relating thereto:

Two abutting parcels of land located at the rear of Chessman Drive, Sharon, Massachusetts: one containing eight acres and the other three acres, shown on Sheet 20, Block 56, of the Assessors' maps, and both parcels designated in the records of Assessors as Parcel 56-I-7.

See the Estate of Doris Holmes Blake, Norfolk Probate No. 79F1503-E1, as well as Norfolk Probate No. 31505.

Board of Selectmen

*The Warrant Committee recommends adoption of this article - this property, we are told by Town Counsel, would be treated without need for maintenance of further expenditures. Vote: 9-1*

And you are directed to serve this Warrant by posting attested copies of the same in accordance with Town By-Laws.

Hereof fail not, and make due return of this Warrant with your doings thereon, at the time and place of meeting aforesaid.

Given under our hands this 29th day of July, 1982.

MICHAEL L. COOK, Chairman

NORMAN KATZ

COLLEEN M. TUCK

BOARD OF SELECTMEN  
SHARON, MASSACHUSETTS

Attest: ALBERT R. HORAN, Constable  
Sharon, Massachusetts  
July 29, 1982





WARRANT COMMITTEE

Sydney Falk, Chairman

Robert Sondheim, Vice Chairman

Edward Walper, Clerk

Arthur Kesselman

Bruce Luchner

Lucille Lurie

Charles Reingold

Paul Sturdevant

Lee Wernick

Alan Wolpin

Patricia Zlotin

**Sharon, Massachusetts 02067**

